

WASHINGTON COUNTY BOARD OF EQUALIZATION
EXEMPTION HEARING MINUTES
April 7, 2015

BOARD OF EQUALIZATION/EXEMPTION HEARING

A Board of Equalization Hearing was called to order by Commission Chairman Alan D. Gardner at 3:07 p.m. on April 7, 2015, in the Commission Chambers, Washington County Administration Building, St. George, Utah. Those in attendance were Chairman Alan D. Gardner, Commissioner Victor Iverson, Commissioner Zachary Renstrom, Administrator Dean Cox, Deputy County Attorney Eric Clarke, County Assessor Tom Durrant, County Assessor Office Services Division Manager Adel Murphy, and Deputy County Clerk Nicholle Felshaw.

APPROVAL OF MINUTES OF JANUARY 20, 2015

MOTION: Motion by Commissioner Renstrom to Approve the Board of Equalization Minutes of January 20, 2015. Motion seconded by Commissioner Iverson and carried by a unanimous vote, with Commissioners Gardner, Iverson and Renstrom voting aye.

CONSIDERATION OF PROPERTY TAX EXEMPTIONS

Adel Murphy, Washington County Assessor's Office Services Division Manager explained that the Board of Equalization was convening for the purpose of considering this year's Requests for Exemptions of both Real and Personal Property from the property tax rolls of Washington County. Generally speaking, properties are either exempt by virtue of their ownership or their use (religious, educational, or charitable). The burden of proof rests with the property owner requesting the exemption.

Ms. Murphy distributed handouts of each of the categories in consideration and reviewed certain basic procedures. A copy of the handouts are available for review in the County Commission Office.

Religious Exemptions

The Religious Entities handout refers to properties in the County that have requested religious exemptions for 2015. Ms. Murphy recommended assigning exempt status to all of those listed, with the exception of New Covenant Christian, who did not submit the required annual statement after the statement was mailed and a phone call was placed as a reminder. Their exemption applied to personal property only.

MOTION: Motion by Commissioner Iverson to Approve the Recommendations of the Washington County Assessor Division Manager for Religious Exemptions for 2015, as presented. Motion seconded by Commissioner Renstrom and

carried by unanimous vote, with Commissioners Gardner, Iverson and Renstrom voting aye.

Charitable Exemptions

The Charitable Entities handout refers to properties in the County that have requested charitable exemptions for 2015. Ms. Murphy recommended assigning exempt status to all of those listed with the exception of the following two (2) entities: the Erin Kimball Memorial Foundation and Ted Warthen Center. The Erin Kimball Memorial Foundation did not submit the required annual statement after the statement was mailed and a phone call was placed as a reminder. The Ted Warthen Center has leased its property to Platinum Care, which is a long term care facility, and their application states that the rents they collect are used for charitable purposes. However, the actual use of the property and not the use of the funds, generated by the use of the property, controls the granting of exemptions.

Ms. Murphy also recommended that Enterprise Valley Medical Clinic receive an eighty-six percent (86%) exemption due to a portion of the building and land being occupied by a dentist and not being used for charitable purposes.

Deputy County Attorney Eric Clarke clarified that property being used exclusively for charitable, religious, or educational purposes can qualify for exemption. However, under the rules, property can be divided and by doing so only the area that meets the exclusive requirements can receive exempt status.

MOTION: Motion by Commissioner Renstrom to Approve the Recommendations of the Washington County Assessor Division Manager for Charitable Exemptions for 2015, as presented. Motion seconded by Commissioner Iverson and carried by unanimous vote, with Commissioners Gardner, Iverson and Renstrom voting aye.

Educational Exemptions

The Educational Entities handout refers to properties in the County that have requested educational exemptions for 2015. Ms. Murphy recommended assigning exempt status to all of those listed with the exception of Cinnamon Hills Youth Crisis Center, account number 319395, which is the Ambassador Inn Motel. The Assessor's Office believes this parcel is not used exclusively for educational purposes because it is a place of public accommodation where the center's students perform a limited amount of the operational activities.

Commissioner Renstrom has a conflict of interest on the Educational Exemptions and recused

himself from discussion and voting on this item.

Deputy County Attorney Eric Clarke stated that additional information could be requested from Cinnamon Hills Youth Crisis Center and a hearing could be held at a later date for a decision.

Commissioner Iverson was comfortable moving forward and making the motion based upon the current recommendation presented by the County Assessor's Office.

MOTION: Motion by Commissioner Iverson to Approve the Recommendations of the Washington County Assessor Division Manager for Educational Exemptions for 2015 as presented. Motion seconded by Commissioner Gardner and carried by majority vote, with Commissioners Gardner and Iverson voting aye and Commissioner Renstrom not voting.

Non-Primary to Primary Residential

The Real Property Primary Residential handout refers to properties whose owners have requested a change of status from non-primary residential to primary residential as of January 1, 2015.

Ms. Murphy recommended assigning primary status to all of those listed.

It was mentioned that this changes the taxable value of the County. Primary residential is taxed at fifty five percent (55%) of the taxable market value vs. non-primary residential which is taxed at one hundred percent (100%) of taxable market value.

MOTION: Motion by Commissioner Renstrom to Approve the Recommendations of the Washington County Assessor Division Manager for Non-Primary to Primary Residential Exemptions for 2015, as presented. Motion seconded by Commissioner Iverson and carried by unanimous vote, with Commissioners Gardner, Iverson and Renstrom voting aye.

Primary to Non-Primary Residential

The Real Property Non-Primary Residential handout represents homeowners who have requested a change of status from primary to non-primary residential as of January 1, 2015.

Ms. Murphy recommended assigning non-primary status to all of those listed.

Mr. Clarke clarified that in order to be considered for exemption, a form is completed providing

evidence of primary residential use and attesting to the truth of the information provided. If the information provided proves to be inaccurate, there is a specific fraud crime for providing false information to the government.

MOTION: Motion by Commissioner Iverson to Approve the Recommendations of the Washington County Assessor Division Manager for Primary to Non-Primary Residential Exemptions for 2015, as presented. Motion seconded by Commissioner Renstrom and carried by unanimous vote, with Commissioners Gardner, Iverson and Renstrom voting aye.

Mobile Homes: Primary

The Primary Mobile Homes handout represents personal property mobile homes where the homeowner owns the home but not the land. Ms. Murphy recommended assigning primary status to all of those listed.

MOTION: Motion by Commissioner Renstrom to Approve the Recommendations of the Washington County Assessor Division Manager for Primary Mobile Home Exemptions for 2015, as presented. Motion seconded by Commissioner Iverson and carried by unanimous vote, with Commissioners Gardner, Iverson and Renstrom voting aye.

Mobile Homes: Non-Primary

The Non-Primary Mobile Homes handout represents personal property mobile homes where the homeowner owns the home but not the land. Ms. Murphy recommended assigning non-primary status to all of those listed.

MOTION: Motion by Commissioner Iverson to Approve the Recommendations of the Washington County Assessor Division Manager for Non-Primary Mobile Home Exemptions for 2015, as presented. Motion seconded by Commissioner Renstrom and carried by unanimous vote, with Commissioners Gardner, Iverson and Renstrom voting aye

Personal Property Business Exemptions

Ms. Murphy said that the personal property business exemptions shown in the handout refers to 2014, as the 2015 numbers are not yet available. The value limit in 2014 was ten thousand dollars (\$10,000); and will be raised to ten thousand two hundred dollars (\$10,200) for 2015.

Ms. Murphy recommended the exemption for all of those listed.

The Personal Property Business Exemption is a self-reporting system. Forms are filled out and sent to the Assessor's Office and from this, a list is compiled with businesses the Assessor's Office does not hear back from or businesses claiming a value listed that is not comparable to those in the same area. The list is then sent to the State Tax Commission and the State conducts the audits.

MOTION: Motion by Commissioner Renstrom to Ratify the Recommendations of the Washington County Assessor Division Manager for Personal Property Business Exemptions for 2014, as presented. Motion seconded by Commissioner Iverson and carried by unanimous vote, with Commissioners Gardner, Iverson and Renstrom voting aye.

Having no other business, the Board of Equalization Hearing was adjourned at 3:25 p.m.

NICHOLLE M. FELSHAW
DEPUTY COUNTY CLERK

ALAN D. GARDNER
CHAIRMAN